

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

MANUEL GUTIERREZ,

Plaintiff,

v.

LAMAR CONTRACTORS, LLC,

Defendant.

1:22-cv-00014-WAL-EAH

LAMAR CONTRACTORS, LLC,

Third Party Plaintiff,

v.

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**CERTAIN UNDERWRITERS AT
LLOYD'S OF LONDON SUBSCRIBING
ON POLICY NO. BAPCPS23091,**

Third Party Defendant.

TO: Andrew C. Simpson, Esq.
For Plaintiff
David J. Cattie, Esq.
Steven B. Loeb, Esq.
Neal R. Novak, Esq.

SCHEDULING ORDER

THIS MATTER came before the Court on a status conference on April 24, 2023. Andrew C. Simpson, Esq. appeared on behalf of Plaintiff Manuel Gutierrez; David J. Cattie, Esq. appeared on behalf of Defendant and Third-Party Plaintiff Lamar Contractors, LLC; and Neal R. Novak, Esq. appeared on behalf of Third-Party Defendant Certain Underwriters at Lloyd's of London Subscribing on Policy No. BAPCPS23091.

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The Court determined the deadlines that would govern this case. Upon consideration of the parties Discovery Memoranda, Dkt. Nos. 45, 53, the Report of the Rule 26(f) Planning Meeting, Dkt. No. 52, and the April 24, 2023 colloquy, the Court enters the following schedule to which the parties shall adhere and by which the proceedings in the above-captioned matter shall be governed.

WHEREFORE, it is now hereby **ORDERED**:

1. Any motion to amend the pleadings or to join additional parties shall be filed on or before **May 30, 2023**;
2. All factual discovery, including written discovery and fact witness depositions, shall be completed by **November 15, 2023**;
3. Mediation shall be completed no later than **December 11, 2023**, and shall be conducted pursuant to Local Rules of Civil Procedure Rule 3.2;
4. Plaintiffs' experts shall be named and copies of their opinions, as provided in Fed. R. Civ. P. 26(a)(2), shall be served no later than **December 15, 2023**;
5. Defendant's/Third-Party Plaintiff's experts shall be named and copies of their opinions, as provided in Fed. R. Civ. P. 26(a)(2), shall be served no later than **January 30, 2024**;
6. All expert depositions, as provided in Fed. R. Civ. P. 26(a)(2), shall be completed no later than **March 15, 2024**. No rebuttal reports are allowed without leave of Court;

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7. All dispositive motions, including *Daubert* motions, shall be filed on or before **April 30, 2024**. No extensions for filing opposition or reply briefs are allowed without leave of Court.
8. A status conference is scheduled for **December 13, 2023** at **2:00 p.m. by videoconference** before the undersigned U.S. Magistrate Judge.
9. Pretrial filing deadlines and the trial date will be set by further order of the Court.
10. Any extensions, changes, and/or modification of any dates or deadlines contained herein shall be made only for good cause and only with the Court's consent pursuant to Fed. R. Civ. P. 16(b)(4).

ENTER:

Dated: April 24, 2023

/s/ Emile A. Henderson III
EMILE A. HENDERSON III
U.S. MAGISTRATE JUDGE